IN THE HIGH COURT OF JUDICATURE AT BOBBY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 4271 OF 2004

Navnath Sopan Khadatare .. Applicant.

V/s.

The State of Maharashtra .. Respondent.

Shri P.R. Arjunwadkar for Applicant.
Shri D.R. More, APP for Respondent.

CORAM : A.M.KHANWILKAR, J.
DATED : 25.10.2004

PC :-

. Heard the learned counsel for the parties. Perused the record.

. The learned APP fairly accepts that so far as the medical evidence is concerned, that does not support the prosecution case suggesting sexual contact between the applicant and the prosecutrix. If it is so, the other serious charge against the applicant is under section 452 (1) of IPC. However, taking over all view of the matter, the applicant can be granted bail on strict conditions, as under :-

The Applicant is enlarged on bail in connection with C.R.No.108/2004, registered with Pandharpur Taluka Police Station, Solapur on executing personal bond in the sum of Rs. 25,000/- (Rs. Twenty -five thousand only) with two local sureties in the like amount.

The Applicants shall not enter the jurisdiction of Pandharpur Police Station during the pendency of the trial except for attending the trial.

The applicant shall inform his place of residence to the investigating officer as well as trial court within one week from the date of his release. Besides, the applicant shall report the nearest police station once in a week, on Saturday between 10 a.m. to 1 p.m.

The Applicants shall extend full co-operation for early disposal of the trial. If the trial court is of the opinion that the applicant is responsible for delay in trial that fact be recorded in the Rozanama, which can be a

ground for cancellation of bail.

The applicant shall not influence the prosecution witness or tamper with the prosecution evidence in any manner whatsoever.

. Order accordingly.

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